

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masanobu NINOMIYA et al.

Application No.: 09/722,828

Filed: November 28, 2000

Group Art Unit: 1753

Examiner: J. Dote

Docket No.: 107971

For: TONER FOR DEVELOPING ELECTROSTATIC LATENT IMAGE, TWO-COMPONENT DEVELOPER, AND IMAGE-FORMING PROCESS

5/W.M.
3/15/02

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

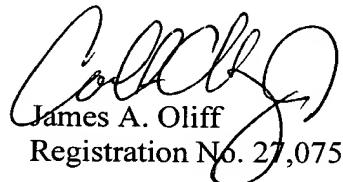
In reply to the Restriction Requirement mailed February 20, 2002, Applicants hereby provisionally elect Group 1, claims 1-12. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one group would necessarily encompass a search for the subject matter of the remaining groups. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 clearly states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office.

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The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Respectfully submitted,



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JAO:CCH/pmo

Date: March 12, 2002

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